## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Group Art Unit 1634

In re

Patent Application of

James W. Schumm, et al.

Application No. 10/769,579

Confirmation No.: 2176

Filed: January 30, 2004

Examiner: Goldberg, Jeanine Anne

"MULTIPLEX AMPLIFICATION OF SHORT

TANDEM REPEAT LOCI"

I, Sally Sorensen, hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on the date of my signature.

Signature Dally Sources October 24, 2006

## TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Promega Corporation, located at 2800 Woods Hollow Road, Madison, WI 53711 (hereinafter "Assignee"), by its undersigned attorney of record, represents that it is the owner of the entire interest in the above-identified application (hereinafter "said Application") by virtue of an assignment recorded February 6, 1995, at Reel 7334, Frames 0014. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on Application No. 10/769,579, beyond the expiration date of the full statutory term of U.S. Patent No. 5,843,660 (hereinafter "said U.S. Patent"). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This agreement shall run with any patent granted on said Application and be binding

upon the grantee, its successors or assigns. In making the above disclaimer, Assignee does not

disclaim any terminal part of the patent granted on said Application prior to the expiration date

of the full statutory term of said U.S. Patent, in the event that said U.S. Patent later expires for

failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321,

has all claims canceled by reexamination certificate, is reissued, or is otherwise terminated prior

to expiration of its statutory term.

The undersigned is empowered to act on behalf of Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that

all statements made on information and belief are believed to be true; and further, that these

statements are made with the knowledge that willful false statements, and the like so made, are

punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application or any

patent issuing thereon.

Date: Ochhan 24, W86

Attorney Docket No.: 016026-9238 US02

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cc: Docketing

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